

REMARKS

The claims currently present upon entry of this Response are claims 1, 6, 13, 12, 13, 14, and 25.

As noted in the response dated September 27, 2004 in the present application, Applicants had limited the broadest product claim, claim 1, to resins prepared by reacting a polyamidoamine A with a cross-linking agent K that is defined in Markush language. It was clearly pointed out in the previous response that all the crosslinkers are triglycidyl polyepoxides.

Rejections under 35 USC §102(b)

1.) Rejection of claims 1, 12, 14, and 16 as being anticipated by European Patent No. 407,157 ("European '157").

The Office Action rejected claims 1, 12, 14 and 16 as being anticipated by European '157, finding that on Table 1, found on page 8 of the document "... shows a reaction product of trimethyloylpropane triglycidyl ether and a polyamideamine curing agent present in a solution...."

Applicants respectfully traverse the rejection of claims 1, 12, 14, and 16 as anticipated by European '157 or the reason that European '157 does not teach all the elements contained in the Applicants present invention as claimed.

As specifically noted in the previous response, the present invention uses crosslinkers which are all triglycidyl polyepoxides.

In Table 8 of European '157, the composition lists trimethylolpropane polyglycidyl ether and not one of the triglycidyl compounds listed in the present claims. It is unknown from the disclosure found in Table 8 what is meant by the term "polyglycidyl ether" and as such, the teachings of European '157 cannot anticipate the present claims.

Applicants respectfully request withdrawal of the rejection of claims 1, 12, 14, and 16 as anticipated by European '157 and respectfully request allowance of claims 1, 12, 14, and 16.

2.) Rejection of claims 1, 10, and 14 as being anticipated by US Patent No. 4,498,957 to Sasaki et al. ("Sasaki"); Japanese Patent No. 55-144050 (Japanese '050), 56-312 (Japanese '312), 53-39332 (Japanese '332), or 57-15 772 (Japanese '772).

Applicants respectfully traverse the rejection of claims 1, 10, and 14 for the reason that none of the cited Documents teach all of the elements contained in the Applicants' invention as claimed.

In its rejection of claims 1, 10, and 14, the Office Action states that Sasaki and the various listed Japanese patent applications "show reaction products of polyamidoamines and triglycidyl isocyanurate."

Sasaki is directed to artificial paper-like sheets and the process of making these items. Upon review of the materials listed in making the polymers recited therein, it is determined that the materials do not include either the polyamidoamines recited by the Applicants, or the triglycidyl polyepoxides contained in the Markush group of claim 1, but rather discloses the use of aromatic polyamides generally in epoxy compounds. This clearly does not teach the element contained in Applicants claims.

Japanese '050 is an abstract of a Japanese patent application directed to the production of polyamide films, not the resins of the present invention. While Japanese '050 teaches the use of a triglycidyl isocyanurate crosslinking agent, it does not disclose the use of the Applicants' polyamidoamine but rather teaches isophthalic acid-m-phenylenediamine-terephthalic acid copolymer as its amine containing compound. This is clearly not what Applicants have claimed.

The other Japanese patent application abstracts, Japanese '312, Japanese '332, and Japanese '772 were not discussed in detail in the Office Action but rather were presented as being generally directed to solid blends.

Japanese '772 is an abstract directed to a powdered adhesive, comprising epoxy resin. While the reference teaches use of triglycidyl isocyanurate, it contains no teaching of the polyamidoamines claimed by Applicants.

Japanese '312 is an abstract and is directed to the production of polyamide fibers as opposed to the resins of the present invention.

While in the production of the polyamide fibers, Japanese '312 uses triglycidyl isocyanurate as a crosslinker, it does not teach the polyamidoamines claimed in the present invention.

Japanese '332 is an abstract directed to a metal bonding adhesive. While this adhesive uses triglycidyl isocyanurate, it does not disclose the use of Applicants' polyamidoamine.

In view of the foregoing, none of the recited Japanese abstracts or Sasaki recite all the components that the Applicants' claim for their resin. As such, the rejection of claims 1, 10, and 14 as being anticipated by these references is respectfully traversed.

Applicants respectfully request the withdrawal of the rejection of claims 1, 10, and 14 as anticipated and request passage of these claims to allowance.

3.) Rejection of claims 1, 12, 14, and 16 as being anticipated by Japanese Patent Nos. 60-2963 (Japanese '963) or 46-27792 (Japanese '792).

Applicants respectfully traverse the rejection of claims 1, 12, 14, and 16 and for the reason that neither of the cited references teaches all the elements of the Applicants' invention, as claimed.

Japanese '963 is an abstract directed to non-warping wood composites. While this reference does teach the use of a triglycidyl ether, it does not teach the polyamidoamine contained in Applicants' invention as claimed.

Japanese '792 is an abstract directed to a finishing material for rayon fabrics. The composition taught in Japanese '792 teaches neither the triglycidyl ether nor the polyamidoamine contained in Applicants' claim.

In view of the foregoing, Applicants respectfully assert that neither of the two Japanese references cited as anticipating claims 1, 12, 14, and 16 contain all of the elements of the Applicants' invention, as claimed. Applicants respectfully submit that

the rejection of claims 1, 12, 14, and 16 over the two cited Japanese abstracts has been traversed. Applicants respectfully request the rejection of claims 1, 12, 14, and 16 be withdrawn and respectfully request the allowance of the subject claims.

Applicants also wish to bring to the Examiner's attention a correction that is needed in the PTO-892 Notice of References Cited kindly provided by the Examiner. Foreign Patent Document "R" JP 60002963A to Matsumoto, Fuminari is directed to a one-chip microcomputer. This does not agree with the abstract provided in the Office Action which is directed to materials for the prevention of warping of wood. This document lists the assignee as Sumitomo Bakelite Co. but does not provide a listing of an inventor.

A correction of the PTO-892 is respectfully requested.

4). Rejection of claim 1 as anticipated by European Patent No. 488,949 (European '949).

The Office Action rejected claim 1 as being anticipated by European '949 by stating that "European '949 espouses a reaction product of most preferably trimethylolpropane triglycidyl ether" and various amines. The Office Action goes on to state that the claimed resin embraces the hardeners of European '949 since the specification on page 10, lines 1-2 permit the use of blends of polyamidoamines on polyamine.

Applicants respectfully traverse the repetition of claim 1 as anticipated by European '949 for the reason that European '949 does not teach the polyamidoamine as listed in the present claim 1.

While it is true that the present specification on page 10 permits the blends of polyamidoamine and polyamines, the present claim 1 recites only the polyamidoamine. European '949 does not recite polyamidoamine. Therefore, European '949 may not properly be used as a basis for rejecting claim 1.

Applicants acknowledge that the specification contains embodiments which are not presently contained in the claims though the result of various actions, such

the species elections and the like. Applicants respectfully submit that a teaching of blends of polyamidoamines and polyamines contained in the present specification cannot be used as the basis or justification of using European '949 as an anticipating reference where this reference clearly lacks the teaching of the polyamidoamines contained in claim 1.

Applicants respectfully submit that in view of the forgoing, the rejection of claim 1 as anticipated by European '949 has been traversed. Applicants respectfully request withdrawal of this rejection and request allowance of claim 1.

Rejection under 35 USC §103(a)

The Office Action rejected claims 6 and 13 as being unpatentable over European '157 and Japanese '963, '332, and '772 in view of Polish Patent No. 130,185 and the Fukuda et al. article.

Applicants respectfully traverse the rejection of claims 6 and 13 as being unpatentable over European '157 and Japanese '963, '332 and '772 in view of Polish Patent No. 130,185 (Polish '185) and the Fukuda article for the reason that a person of ordinary skill in the art would not find the instant invention obvious in view of the cited references and that the combination of references suggested in the Office Action will not result in the instant invention as claimed.

As set forth in the previous responses to the anticipation rejections, European '157 and Japanese '963, '332 and '772 do not teach the use of polyamidoamines as crosslinking agents but rather teach amines in general.

Applicants respectfully submit that it would not be obvious for a person of ordinary skill in the art to modify the teachings of the previously cited references nor would the person of ordinary skill in the art be motivated to modify these references with the epoxy hardeners recited in Polish '185 or the Fukuda article. For example, European '157 is directed to a vibration-damping material which comprise an epoxy resin. It is submitted that a person of ordinary skill in the art would not be motivated to look at compounds that will increase the hardening of the epoxy compounds presently used as damping materials. Such a teaching would have to be considered to be teaching away from the intent of the primary reference.

Additionally, the teachings of Fukuda would not motivate a person of ordinary skill in the art to select polyamidoamines from among the materials recited therein where there is no stated advantage cognizable in making this selection.

For the above-mentioned reasons, Applicants respectfully submit that the rejection of claims 6 and 13 has been traversed. Applicants respectfully request the withdrawal of the rejection of claims 6 and 13 under 35 USC §103(a) and respectfully request allowance of said claims.

CONCLUSION

In view of the foregoing, Applicants respectfully request withdrawal of the above-mentioned rejections of record, and allowance of all pending claims, and the holding of this application is condition for allowance. If any points remain of issue that may be best resolved through a personal or telephone interview, the Examiner is respectfully requested to contact the undersigned at the below-listed telephone number.

Except as otherwise stated in the above-noted remarks, Applicants note that each of the amendments have been made to place the claims in better form for allowance and not to distinguish the claims from prior art references, otherwise, narrow the scope of the previously pending claims or comply with the other statutory requirements.

Respectfully submitted,



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